

1895-029 Chancery Causes: George H. Ely vs. S. E. Turner &  
Lee Co. Elitha L. Howard vs. S. E. Turner &c

Leslie, Wilcoxson

CA-Contract Dispute

T-Property  
Business

Additional Information:

- Sale & manufacturing of  
mercising



To the Honorable W. J. Miller Judge of the Circuit  
Court of Lee County.

Humbly complaining your orator Geo. H. Ely  
would respectfully represent and show unto your  
honor that on the 8th day of Sept. 1890 he entered  
into a contract with D. S. Wilcoxson, B. J. Leslie and  
S. E. Turner in regard to a certain Patent License by which  
said defendants purported to convey to your orator License  
and right to make and use and sell a new and useful  
improvement in fences, in consideration of the sum of  
two hundred and fifty dollars. Said Contract is herewith  
filed marked "A" and asked to be treated here as part of this  
bill, from which your honor will see that it purports  
to sell or assign to your orator the right to sell and  
use the said patent in the counties of Bell, Knox, Clay  
Lancaster and Whitley in the State of Kentucky. Now your  
orator would represent and show unto your honor  
that he was duped and induced to enter into said  
contract and induced to part with his money two hundred  
and fifty dollars, by fraud, deceit, collusion and false  
representation <sup>and pretense</sup> committed and perpetrated upon him by  
S. E. Turner, B. J. Leslie and D. S. Wilcoxson in this that the  
defendants represented that they had a patent for their  
improvements in fences, that it was patented April 6, 1888  
and also represented that it was patented Oct. 23, 1888.  
they also falsely represented that your orator could make  
a fortune out of the five counties heretofore referred to  
if he would only give them \$250. in cash. They also  
falsely represented that their patent would make a much  
better, stronger, more durable and handsomer fence than  
any other in the world, that it would save 5000 rails  
in building every mile of fence. That \$500 worth of wire  
\* that the invention was valuable and would take with the public, that they had sold  
other states for large sums of money, which was all false and it induced your  
orator to enter into said contract, that the five counties could be sold for \$500  
each



1 would build a mile of fence, that you could move  
2 a whole string of fence without taking it - to pieces  
3 that it was the cheapest fence that could be built. All of  
4 which sayings and doings your orator alleges was  
5 false and well known by defendants when they  
6 made them, especially well did S. E. Turner know them  
7 to be false, who represented that he had made \$1500.  
8 in riding and selling the patent only from Jonesville  
9 to such things, your orator here alleges that the contract  
10 here filed is a badge of fraud on its face, practised by  
11 S. E. Turner one of the defendants, <sup>on your orator</sup> in that he signed  
12 it; "D. D. Wilcoxson By B. J. Leslie", when in truth and in  
13 fact B. J. Leslie did not sign it; <sup>he Turner</sup> trying to keep his name out  
14 of the fraud which he was practicing on your orator.  
15 And your orator here charges that S. E. Turner had no  
16 authority to sign said patent license under seal as  
17 he did, <sup>or otherwise</sup> that said defendants had no letters patent for their  
18 new and useful improvement in fencing as they called  
19 it. that even if they did in furtherance of their designs  
20 to defraud your orator out of his money, the said  
21 S. E. Turner, and B. J. Leslie left this county after  
22 they had duped every body they could, and went  
23 into the counties of Laurel and Clay, Ky. two  
24 of the counties which they had purported to sell  
25 to your orator and sold and granted license to  
26 parties <sup>there</sup> in the very territory which rightfully belonged  
27 to your orator, <sup>if there was any worth in said patent - high</sup> and the defendant S. E. Turner even  
28 made his head quarters at London the county seat  
29 of Laurel, selling fence rights for a considerable  
30 length of time. And your orator here alleges that  
31 S. E. Turner and B. J. Leslie colluded and conspired  
32 together to cheat, wrong and defraud not only your







reconsidered, vacated and declared void. That your master  
 recover of the defendants S. E. Turner B. J. Fisher and  
 O. L. Wilson the sum of \$250. with interest from the  
 8th day of Sept. 1890. Till paid. That a decree may be made  
 to that effect; That the defendant take back their assignment  
 of Patent License, etc - that proper process may issue and  
 That your master may have such other further and  
 general relief as the nature of his case may require  
 as to equity shall seem meet. And your master  
 will ever pray etc -

M. G. Ely, P. S.

Ely-

Ex. H. Ely P. S.

Bill in Chancery

S. E. Turner et al Defts.

Exhibit "A" and "B" filed  
 1894. May bill filed Sp  
 and other home Deft. &  
 Order was as to him  
 Order Park as to non residing  
 Order Park complete  
 1st day of June 1894  
 Last Monday ex. may  
 Decree was confirmed  
 Cause set for hearing  
 by plaintiff

Signific Decree  
 final 1894  
 March 1894  
 Decree final

Plffs Costs  
 \$ 6.46  
 S  
 \$ 6.94  
 Printer 620  
 \$ 13.14  
 Defts Costs  
 \$ 2.04  
 Atty 15.00  
 Ex 25  
 \$ 17.29



# PATENT LICENSE.

WHEREAS, Q. D. WILCOXSON, of Boston, Pendleton County, Ky., did obtain Letters Patent of the United States for a new and useful improvement in fences, dated October 23, 1888, and numbered 391,569.

And WHEREAS, *Geo. H. Ely* is desirous of obtaining an interest in said Letters Patent.

NOW THIS INDENTURE WITNESSETH, That for and in consideration of the sum of *Two hundred and fifty (\$250)* Dollars to *us* in hand paid, the receipt of which is hereby acknowledged, *we* do hereby grant unto *Geo. H. Ely* License and right to make, use and sell the said improvement within the following designated limits and places, namely, and in no other place or places:

*The counties of Bell, Knox, Clay, Laurel and Whitley in the State of Kentucky.*

This License and Right to be enjoyed by the said *Geo. H. Ely* and assigns to the full end of the term for which said Letters Patent were granted.

IN WITNESS WHEREOF *we* have hereunto set our hands and seal this *15th* day of *Sept.*, 1890

*Q. D. Wilcoxson* L. S.

*B. J. Leslie* L. S.

Sealed and delivered in the presence of

*Geo. W. Fleenor.*



G. B. Richardson



\$1 250<sup>00</sup>

Jonesville, Va., Sept 8th 1880.

Thirty

days after date we promise to pay to the order of

B. J. Leslie

Two hundred & fifty

DOLLARS

for value received, negotiable and payable at Powell's Valley Bank, and hereby waive the benefit of our home-  
stead exemption as to this debt, and we also waive our right to be protested to make us liable for said sum.

Attest

L. H. Ellison

George H. Ely

H. E. Edels



We the endorsers of the within note hereby  
~~give our~~ homestead exemption as to the debt  
mentioned within, and ~~we~~ also waive ~~our~~ right  
to be protested in order to make ~~us~~ liable as en-  
dorsers of the within, in the event the same should  
not be paid promptly at maturity.

B. J. Leslie  
S. E. Turner

"B"



1 To The Honorable W. J. Miller Judge of the Circuit  
2 Court of Lee County.

3 Humbly complaining your orator Elihu L. Howard  
4 would respectfully represent and show unto your honor  
5 that on the 25<sup>th</sup> day of Aug. 1890. he entered into a Contract  
6 with W. D. Wilcoxson, B. J. Leslie and S. E. Turner in regard  
7 to a certain patent license by which said defendants pur-  
8 ported to convey to your orator license and right to  
9 make use and sell a new and useful improvement in fences  
10 in consideration of the sum of fifty dollars, said contract is  
11 herewith filed marked "D" and prayed to be treated as part  
12 of this bill. from which your honor will see that it purports  
13 to sell or assign to your orator the right to sell and use the said  
14 patent in the County of Leslie Co. Now your orator would  
15 represent and show unto your honor that he was duped,  
16 induced and influenced unduly to enter into said contract  
17 and induce to part with his money (\$50.) by the fraudulent  
18 fraud, deceit, collusion, false pretenses and false representations  
19 committed and perpetrated upon him by the defendants S. E.  
20 Turner and B. J. Leslie in this that the defendants represented that  
21 they had a patent for their improvement in fences, that it was  
22 patented April 6<sup>th</sup>, 1888, and also represented that it was patented  
23 Oct. 28, 1888, that your orator could get rich, make a fortune  
24 in a few days if he would only buy a county from them  
25 at \$50. that their patent made the strongest, best, most durable  
26 fence in the world, that you could save 5000, rods in  
27 building every mile of fence, that \$50. worth of wire would build  
28 a mile of fence, that you could move a whole string of fence  
29 without taking it to pieces, that it was the cheapest fence that  
30 could be built, all of which your orator alleges were untrue  
31 misleading and fraudulent, and well known by defendants to be  
32 untrue when they made them, such representations being only  
\* that the said patent was sold and taken well with the public, that the county  
of Leslie could be sold for \$500, that they had made other large sales of territory  
at enormous prices which was all false and induced your orator to enter  
into said contract, that they had sold the state of West Virginia for \$1500.



1 a myth and a fancy to delude, and especially did S. E. Turner  
2 know this to be untrue, by means of which false representations  
3 and deceitful talk your orator was influenced, to enter into  
4 said contract with defendants and to part with his money  
5 Your orator here alleges that the contract here filed and  
6 sought to be rescinded presents a badge of fraud on its face  
7 practiced by S. E. Turner one of the defendants on your  
8 orator, in that he signed the contract as acting for Leslie  
9 when in truth and in fact, it was not signed by B. J. Leslie  
10 at all, he, Turner trying to keep his name out of the fraud  
11 which he was practicing on your orator, And your orator  
12 here alleges that S. E. Turner had no authority to sign  
13 said patent license under seal as <sup>or any other way</sup> hidid, neither had B. J.  
14 Leslie any authority or right to sign his or anyone else's  
15 name to a patent license, neither one having any interest in  
16 the same, that said defendants had no letters patent for  
17 their new and useful improvement in fencing as they called  
18 it, that S. E. Turner and B. J. Leslie called and conspired  
19 together to cheat, wrong and defraud your orator out  
20 of \$50, which they did very successfully. It is a conceded  
21 fact that said pretended patented fence was the most  
22 worthless fraud and swindle that ever struck the  
23 country and could be sold only by slicked tongue deceivers  
24 and defrauders, to ignorant people like your orator,  
25 Your orator alleges that the contract herein described is  
26 one from which he should be relieved, that it should  
27 be rescinded and annulled, the parties placed in 'status quo',  
28 that from his \$50, he has not received a single cent, that  
29 he should have it back, he has delivered up the contract  
30 and rescinds it on his part, that the contract is one  
31 in which an undue advantage was taken that it  
32 was an unconscionable bargain in defendants



receiving so much of your orator's money for nothing  
Equity murders something for nothing. Your orator states  
that while it does not appear on the face of the contract  
that the defendant S. E. Turner is a party to it; your orator  
alleges that he is; that he is the one with whom the contract  
was made and that he is the one that received the money  
under it. Your <sup>orator</sup> thinks that defendants should be willing to  
pay to him his money that they have had the use of  
about four years, while he has had nothing, that the  
and consideration ~~contract~~ has failed - All of which acts and doings are  
contrary to equity and good conscience. In tender consideration  
whereof, and far as much as your orator is sensible in the  
premises some by the aid of a court of equity where matters  
of this kind are alone and properly cognizable. Therefore  
the prayer of your orator is, that S. E. Turner, B. J. Leslie  
and D. D. Wilcoxson be made parties defendant to this  
bill and be required to answer the same but they need not  
answer on oath that being expressly waived, that the  
contract herein described and herewith filed marked  
"D" upon a hearing be decreed rescinded, cancelled annulled  
vacated and declared void, that your orator recover of the  
defendants S. E. Turner, B. J. Leslie, and D. D. Wilcoxson  
the sum of \$50. with interest from the 25<sup>th</sup> day of Aug.  
1890 till paid that a decree be rendered to that effect,  
that proper process may issue and that your orator may  
have such other further and general relief as the nature of  
the case may require and to equity shall seem meet, and  
your orator will ever pray, etc -

M. L. Ely P. O.



1894

Elihu L. Howard Reff.

vs Bill in Chancery -

S. E. Turner et al. Defts.

Exhibits & "ad Turner & L. L. H. filed

1894. 2 May Rules bill filed  
Spa & on home Deft  
& Decree nisi as to him  
Ord Pub go to non residents  
Ord Pub completed

"1st June Rules taken the last  
Monday in May Decree  
nisi confirmed & Cause  
set for hearing by Plff

"June Term Decree  
final see C. 134 & 26

~~Plaintiffs Costs~~

C

Plaintiff costs

C 5.31  
S 1.50

Printer \$5.81

Defts Costs

C 2.04  
Atty 15.00  
Co. 2.50  
\$17.29

8. 1894



**Q. D. WILCOXSON,**

**---PORTABLE---**

**Wire And Rail Fence.**

Patented April 6, 1888.

Call and Examine It.

**Q. D. WILCOXSON-**

**(OVER.)**

*"Turner & Leake"*



# REASONS WHY.

---

- 1st. It will make you a much better, stronger, more durable, and handsomer fence than can be built of common split rails in any other way.
- 2d. It will save you 5,000 rails in every mile you build.
- 3rd. It will save one half the ground over old worm fence.
- 4th. Five dollars worth of wire will build one mile of this fence.
- 5th. It is easier built and repaired than any patent fence on the market.
- 6th. It is portable. You can move it with ease, without taking to pieces.
- 7th. Many rails can be split and answer better for two than they will for one.
- 8th. Best mountain fence in the world. Proof against wind and back-water.
- 9th. Cheapest fence that can be built.
- 10th. For turning all stock, except hogs, three rails is all that is necessary.
- 12th. Call and see it.

WILCOXSON & LESLIE.



# PATENT LICENSE.

WHEREAS, Q. D. WILCOXSON, of Boston, Pendleton County, Ky., did obtain Letters Patent of the United States for a new and useful improvement in fences, dated October 23, 1888, and numbered 391,569.

And WHEREAS, *Elihu S. Howard* is desirous of obtaining an interest in said Letters Patent.

NOW THIS INDENTURE WITNESSETH, That for and in consideration of the sum of *Fifty* Dollars

to *us* in hand paid, the receipt of which is hereby acknowledged, *we*

do hereby grant unto *Elihu S. Howard*

License and right to make, use and sell the said improvement within the following designated limits and places, namely, and in no other place or places:

*Seslie Co. Ky.*

This License and Right to be enjoyed by the said *Elihu S. Howard* and assigns to the full end of the term for which said Letters Patent were granted.

IN WITNESS WHEREOF *we* have hereunto set *our* hands and seal this *25<sup>th</sup>* day of *Aug.*, 18*94*

*Q. D. Wilcoxson*

L. S.

By

*B. J. Seslie*

L. S.

Sealed and delivered in the presence of

*J. B. Wynn*







To The Hon. W. J. Miller Judge of  
the Circuit Court of Lee County.

The Demurre & Separate Answer of  
S. E. Turner, to a Bill filed in  
this Hon Court against him et al  
by E. K. Howard.

Respondent says the ~~pleffs~~ Bill  
is not good and sufficient in law  
and of this he prays Judgement of  
the Court &c.

But further answering he  
says the ~~pleffs~~ Bill, is substantially  
a suit to recover back from him  
the sum of \$500 <sup>25</sup> paid to respondent  
on the 26<sup>th</sup> day of Aug. 1890  
more than three years before the  
institution of the ~~pleffs~~ suit, and  
therefore barred by limitation by  
Sec. 2920 Code of Va. Edition 1887. and  
respondent invokes that law as a  
shield and protection from the ~~pleffs~~  
most unjust demand.

And further answering the ~~pleffs~~ ~~deft~~  
says, that it is not true, that there  
was fraud deceit and false pretence  
used by this respondent in the sale  
of the patent license in the ~~pleffs~~  
Bill mentioned and set out, a sample  
of the fence was shown the ~~pleffs~~, he  
saw it, and he knows that it is  
all it was represented, that is a  
valuable improvement, and needs



only to be used to be appreciated  
and had the plff gone on and oc-  
cupied his territory and made use  
of his license, he doubtless would  
have been greatly benefited. He the  
plff does not pretend that he was  
interfered with hindered or prevented  
from the use thereof. The trade was  
open fair and with full inform-  
ation on the plffs part of what  
the fence was or is. Respondent did  
represent that there was a patent on  
said fence, and there was such a  
patent he denies therefore the plffs al-  
legation that there was no such pat-  
ent, he denies that he did not have  
full power or authority to sell the same.  
He denies that he told the plff he  
could make a fortune in a few days  
but he did say he believed the plff  
could make money selling the same  
to others and he did then and still be-  
lieve that to be true if the plff would  
go forward and make the effort others  
have done so and very much the plff.

The license shows how it is signed your  
cater was the nephew of B. J. Leslie and  
he was instructed and directed by said  
Leslie to sign the licenses in the manner  
he did respondent was at that time  
a mere school boy inexperienced in  
business, and did what he thought he



the right & power to do. He made no concealment but openly & frankly said what he did & the plffs knew it then as well as now, but because he was too indolent and slovenly to go forward and exercise his right, he wants to make the respondent bear the burden of his inaction. Respondent deny that he colluded & conspired with B. J. Leslie or any one else to defraud the plff or any one else. he acted in good faith & sold to the plff & many others said license in the same way and he deny all fraud or fraudulent act, in himself or knowledge of it in B. J. Leslie, he deny each & every allegation of the plffs but not hereinbefore admitted. And having now fully answered the prayer to be dismissed with ~~the plffs~~ his costs

A. E. Turner.

By atty.  
Jackson & Blankenship O'P



S. E. Turner

Adm. J. S. Turner

E. L. Herwood

<sup>my open account</sup>  
Filed June the 6th 1894  
A. B. Munnery Clk



G. H. Ely

vs.

S. E. Fennell et al.

and

Elihu Howard

vs.

Same.

See Ely -

These cause came on this day to  
be heard <sup>again</sup> upon the papers formerly  
read in the cause, and was argued  
by counsel. On consideration of which  
and on motion of plaintiffs, by their  
counsel these cause are stricken from  
the docket.



G. H. Ely  
vs  
S. E. Lunn et al }  
Elihu Howard }  
vs }  
Saul }

Enter this  
W J M  
March 6th 1895



Geo H. Ely

Plffa

against

S. E. Turner et al

deff

Elihu L Howard

Plff

~~Dechy~~

In chy -

against

S. E. Turner et al

Deff

These causes came on this day to be heard together upon the Bills of the plaintiffs & exhibits filed & the Demures & Answer of S. E. Turner in the second styled Cause, which by consent is to be treated also as the Demure & Answer of the said Turner in the first styled Cause & Replication thereto & was argued by counsel.

On consideration of which & for reasons appearing to the court, said Demures are each overruled, & the causes coming on to be heard upon the Bill & Answer, the court is of opinion that the claims sued on are barred by the statute of limitation as to S. E. Turner; it is therefore, adjudged ordered & decreed, that as to S. E. Turner the Plaintiff Bill be & the same are hereby dismissed & the Defendant S. E. Turner recover from the Plaintiffs in each of said causes the costs of these suits, and as to S. E. Turner said causes are stricken from the docket -



Geo. H. Ely

~~at~~ ✓

~~Elihu L. Howard~~

as } Decree

S. E. Turner et al

June 7. 1894

Ent. on Chy. Ord. Book 40. 26

Ent. Ohio

~~at~~ June 13<sup>th</sup> 1894.



In the Clerk's Office of the *Circuit* Court of the *County* of  
*Lee*

*Geo. H. Ely* —

Plaintiff

against

*S. E. Turner, B. J. Leslie, W. D. Wilson*

Defendants

This day *M. G. Ely* personally appeared  
before me, *R. B. Munsey* Clerk of the said Court,  
and being duly sworn, made oath that *B. J. Leslie and W. D.*  
*Wilson* ~~are~~  
defendants in the said suit ~~are~~ not residents of the State of Virginia,

Given under my hand as Clerk of the said Court, this *23* day of *April*

18*94*



George H Ely

vs.

{ AFFIDAVIT FOR ORDER  
OF  
PUBLICATION.

S. E Turner et al

M. G. Ely p. q.

Filed April 23rd 1894  
A B Munsey  
clk



In the Clerk's Office of the Circuit Court of the County of  
Lee on the 17<sup>th</sup> day of April, 1894.

Geo. H. Ely.

Plaintiff,

against

In. Ely

J. E. Turner, B. J. Leslie, And  
D. D. Wilcoxson

Defendants.

The object of this suit is to set aside, annul and declare void a certain  
pretended patent license dated on the 8<sup>th</sup> day of Sept. 1890. executed  
by defendants to plaintiff And to recover of the defendants the sum of  
\$250. with interest from the 8<sup>th</sup> day of Sept. 1890. till paid

And an affidavit having been made and filed that the defendants B. J. Leslie and

D. D. Wilcoxson are

not residents of the State of Virginia, it is ordered that they do appear here, within fifteen days  
after due publication hereof, and do what may be necessary to protect their interest in this suit. And  
it is further ordered that a copy hereof be published once a week for four weeks in the Southwest  
Virginian, and that a copy be posted at the front door of the court-house of this County  
on the first day of the next term of the County, Court.

A copy—Teste:

M. G. Ely

p. q.

A. B. Munsey Clerk.



*Geo. H. Ely*

U.S.

}

ORDER OF  
PUBLICATION.

*S. E. Turner et al.*

I certify that I took  
an office copy of the  
within order of pub  
at the front door of the  
Court house on the  
1st day of the May  
Term of County  
Court 1894

*W B Munsey*  
clerk



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*S. E. Turner, B. J. Leslie and  
D. D. Mileston*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *3rd* Monday in *May*, 189*4*, to answer a bill in Chancery, exhibited against *them* in our said court by *G. H. Ely*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *16th* day of *April*, 189*4*, and in the *118th* year of the Commonwealth.

*A Copy Teste*

*A. B. Munsey* Clerk.

*A. B. Munsey Clerk*



44 A. 21. 84

G. H. Ely

vs. { SUBPENA  
IN CHANCERY.

S. E. Turner et al

M. G. Ely p. q.

To 2<sup>nd</sup> May Rules,

Circuit Court.

Executed. April 21. 1884  
by delivering an  
office copy of the  
within summons to  
S. E. Turner

C. E. Flanagan. 5126



In the Clerk's Office of the Circuit Court of the County of  
Lee

Eelihu L. Howard

Plaintiff

against

A. E. Turner, B. J. Leslie, and W. D. Milcoxson

Defendant

This day 11. 4. 94 personally appeared  
before me, A. B. Munsey Clerk of the said Court,

and being duly sworn, made oath that B. J. Leslie and W. D. Milcoxson

defendants in the said suit are not residents of the State of Virginia,

Given under my hand as Clerk of the said Court, this 23 day of April

1894

A. B. Munsey Clerk



E L Howard

vs.

{ AFFIDAVIT FOR ORDER  
OF  
PUBLICATION.

S. E Turner et al

M G Ely

p. q.

Filed April 23rd 1894  
A B Munsey



In the Clerk's Office of the *Circuit* Court of the *County* of  
*Lee* on the *17th*. day of *April* 18*94*.

*Elihu L. Howard*

Plaintiff,

against

*In Chy-*

*S. E. Turner, B. J. Leslie and  
D. S. Wilcoxson*

Defendants.

The object of this suit is to *set aside, annul and declare void a certain  
pretended patent license dated on the 25th day of Aug. 1890 executed  
by defendants to plaintiff and to recover of the defendants the  
sum of \$50.00 with interest from the 25th day of Aug. 1890 till paid.*  
And an affidavit having been made and filed that the defendants *B. J. Leslie and  
D. S. Wilcoxson* are

not residents of the State of Virginia, it is ordered that *they* do appear here, within *fifteen days*  
after due publication hereof, and do what may be necessary to protect *their* interest in this suit. And  
it is further ordered that a copy hereof be published once a week for four weeks in the *Southwest  
Virginian*, and that a copy be posted at the front door of the court-house of this *County*  
on the first day of the next term of the *County*. Court.

A copy—Teste:

*M. G. Ealy*—

p. q.

*A. B. Munsey*

Clerk.



Elihu L. Howard,

vs. }

ORDER OF  
PUBLICATION.

S. E. Turner et al.

I Certify that I  
posted an office  
copy of this order  
on front door of  
the C H on 1st day  
of May Term of  
the County Court  
A B Munsey  
Clerk



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*S. E. Turner, B. J. Leslie and  
D. D. Milleson*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *3rd* Monday in *May*, 189*4*, to answer a bill in Chancery, exhibited against *them* in our said court by *E. L. Howard*

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,

the *16th* day of *April*, 189*4*, and in the *11 8th* year of the Commonwealth.

*A B Munsey* Clerk.



et A. 21  
E. L. Howard

vs. {

SUBPÆNA  
IN CHANCERY.

S. E. Turner et als

M. G. Ely p. q.

To 2nd May Rules,

Circuit Court.

Executed April the 21. 1874  
by delivering and affixing  
copy of the within  
summons to  
S. E. Turner  
S. E. Flannery. S. E. 6



## CERTIFICATE OF ORDER OF PUBLICATION.

We, A. M. Goins and W. H. Eads,  
editors of the SOUTHWEST VIRGINIAN,  
a weekly newspaper published at  
Jonesville, Lee county, Virginia, do  
hereby certify that the annexed no-  
tice was published in said paper  
once a week for four successive  
weeks, commencing on the 19th

day of April 1894.

A. M. Goins,  
W. H. Eads, } Editors.

IN the clerk's office of the circuit court of  
the county of Lee on the 17th day of  
April 1894.

Geo. H. Ely, Plaintiff.

vs.

S. E. Turner, B. J. Leslie and Q. D. Wil-  
coxson, Defendants.

In Chancery.

The object of this suit is to set aside, an-  
nul and declare void a certain pretended  
patent license dated on the 8th day of Sept.  
1894, executed to the defendants to plaintiff  
and to recover of the defendants the sum  
of \$250, with interest from the 8th day of  
Sept. till paid. And an affidavit having  
been made and filed that the defendants  
B. J. Leslie and Q. D. Wilcoxson are not  
residents of the State of Virginia, it is or-  
dered that they do appear here within fif-  
teen days after due publication hereof, and  
do what may be necessary to protect their  
interest in this suit. And it is farther or-  
dered that a copy hereof be published once  
a week for four weeks in the SOUTHWEST  
VIRGINIAN, and that a copy be posted at  
the front door of the court-house of this  
county on the first day of the next term  
of the county court.

A copy—Teste:

A. B. MUNSEY, Clerk.

M. G. Ely, p. q.

apr 19-44

\$6.20  
/100



# CERTIFICATE OF ORDER OF PUBLICATION.

We, A. M. Goins and W. H. Eads,  
editors of the SOUTHWEST VIRGINIAN,  
a weekly newspaper published at  
Jonesville, Lee county, Virginia, do  
hereby certify that the annexed no-  
tice was published in said paper  
once a week for four successive  
weeks, commencing on the 19th

day of April 1894.

A. M. Goins,  
W. H. Eads, } Editors.

## Non-Resident Notice.

IN the clerk's office of the circuit court of  
the county of Lee on the 17th day of  
April 1894.

Elihu L. Howard, Plaintiff.

vs.

S. E. Turner, B. S. Leslie and Q. D. Wil-  
coxson, Defendants.

In Chancery.

The object of this suit is to set aside, an-  
nul and decree void a certain pretended  
patent license dated on the 25th day of  
August 1890 executed by defendants to  
plaintiff and to recover of the defendants  
the sum of \$50.00 with interest from the  
25th day of Aug. 1890, till paid. And an  
affidavit having been made and filed that  
the defendants B. J. Leslie and Q. D. Wil-  
coxson are not residents of the State of Vir-  
ginia, it is ordered that they do appear here  
within fifteen days after due publication  
hereof, and do what may be necessary to  
protect their interest in this suit. And it is  
further ordered that a copy hereof be pub-  
lished once a week for four weeks in the  
SOUTHWEST VIRGINIAN, and that a copy  
be posted at the front door of the court-  
house of this county on the first day of the  
next term of the county court.

A copy—Teste:

A. B. MUNSEY, Clerk

M. G. Ely, p. q.

apr 19-4t

\$6  $\frac{20}{100}$